

November 29, 2011

47 North Main Street, LLC
125 Nelson Street
Barre, VT 05641
Attn: Thom Lauzon

Re: Stair Enclosure Variance Request

Location: 59 North Main Street
Barre, VT 05641

Site: 32151
Project: 323245

Mr. Thom Lauzon,

I am in receipt of your variance request to waive the requirement to enclose the lower front stair with one hour fire rated construction.

Under the provisions of the 2006 Vermont Fire & Building Safety Code, Section 5, a variance may be granted, when the applicant can demonstrate evidence that strict compliance with the Code would entail practical difficulty, unnecessary hardship or otherwise found unwarranted.

Code Requirements:

NFPA 101, Section 39.2.4

39.2.4 Number of Exits.

39.2.4.1 Exits shall comply with the following, except as otherwise permitted by 39.2.4.2 through 39.2.4.6:

- (1) The number of means of egress shall be in accordance with 7.4.1.1 and 7.4.1.3 through 7.4.1.6.
- (2) Not less than two separate exits shall be provided on every story.
- (3) Not less than two separate exits shall be accessible from every part of every story.

NFPA 101, Section 7.2.2.5.1.1

All inside stairs serving as an exit or exit component shall be enclosed in accordance with 7.1.3.2.

Considered were the following items;

- 1.) To meet the requirements for a secondary exit, a previous variance request was approved for a modified, unprotected rear fire escape.
- 2.) The remoteness of the two exits on the second floor.
- 3.) The building has a complete automatic sprinkler system.
- 4.) The installation of a fire alarm system with detection in the common areas on the second floor.
- 5.) The importance of maintaining the required fire rating of the primary interior stair must be a priority.

Therefore, the variance is hereby **Denied**, with the understanding of the following issues:

- The first floor landing and vestibule of the interior stairs that serve all three tenants must be constructed utilizing one (1) hour fire rated construction as detailed in the drawings submitted to this office for approval on September 19th, 2011 and signed and stamped by Michelle D. Dufresne, Arch. #2479.
- The rear fire escape guards and handrails must be constructed as approved by the previous variance and it will be acceptable for the two steps to the small side roof to remain and a latched gate to be installed at the same height and configuration as the guards.

An appeal for this variance denial can be presented for consideration to Deputy Director Mike Desrochers by contacting him @ 802-479-7539.

For the Division of Fire Safety,

Robert T. Sponable
Asst. State Fire Marshal
Barre Regional Manager

Cc: Stan Baranowski – Asst. State Fire Marshal
Regional Managers
Robert Patterson – Deputy Director
Mike Desrochers – Deputy Director